



Coleman vs Uintah County

Utah Records Committee

9-21-2023



Coleman vs Vernal City



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1

UINTAH COUNTY

1. Who initiated the criminal case SLIDE 4 & 5

1. I am requesting from uintah county the source discovery 221 photo. (Court Exhibit 1A) SLIDES 5&6

Where did this document came from?

The total number of pages within the document?

The date it was received?

1. Internal communication between Uintah County and Vernal City SLIDE 8 &

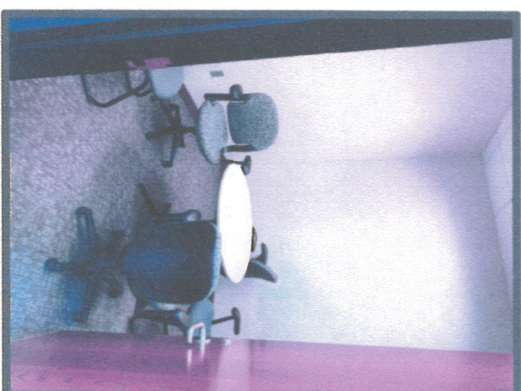
VERNAL CITY

1. The production records, involvement of Roxanne Behunian affidavit SLIDE 9, 10, 11

RECORD COMMITTEE

1. Deep Thoughts that anyone who has taken a photo SLIDE 9, 10, 11

3



My goal is to simplify
a highly intricate
issue and clarify,
in this scenario,
I don't believe
attorney-client privileges
are an acceptable reason for
not producing documents I am
requesting, nor do they align
with the legislative intent.

2

1. Who initiated case, initial documents?

Case # 191800295 State vs Coleman 5/1/2019

Authorized - May, 30, 2019 by prosecutor

Filed - May 1, 2019

Documentations of the following:

What information?
Which law enforcement agency?

Who was case officer?

PROBABLE CAUSE STATEMENT: The undersigned prosecutor is a County Attorney with the Uintah County Attorney's Office and has received information from law enforcement agency(ies) and the case officer, from . The information herein is based upon such personal observations and investigation of said officers and agencies:

4

Brady vs. Maryland

On the most fundamental level, the prosecutor is an attorney obligated to pursue her client's objectives both competently and loyally. But who is the prosecutor's client and what are the objectives?

A significant point, however, is that the prosecutor does not have a "client" in the traditional sense of the word.

Although the adversarial system would place the prosecutor and the defendant on opposite sides of the courtroom, the Constitution requires the prosecutor to consider the defendant in some of her decision making. In 1963, the Supreme Court issued its decision in *Brady v. Maryland* requiring prosecutors to turn over material evidence of guilt to the defendant. Instead, the prosecutor must take the defendant's rights into account and ensure that the criminal process moves in a fair and just manner for the defendant. (<https://www.bu.edu/bulawreview/files/2018/06/JOE.pdf>)

5

Production of documents

as compelled by the court 3/7/2019

A written list of documents, electronic files, and audio and video recordings or physical things, submitted to a party from his or her adversary to inspect and copy the requested items and that have relevance to the issues in a lawsuit



Coleman 519 photos to UALD

221 photos Uintah County as submitted to defense counsel

Why were 198 of the photos removed? And by whom?

7

Willfully
destroying,
mutilating,
defacing,
altering,
falsifying,
removing, or
secreting the
whole or any part
thereof, or who
permits any other
person so to do,
is guilty of a
felony of the
third degree.

THIS WAS A
COURT
DOCUMENT

Production of documents

as compelled by the court 3/7/2019

A written list of documents, electronic files, and audio and video recordings or physical things, submitted to a party from his or her adversary to inspect and copy the requested items and that have relevance to the issues in a lawsuit



Coleman 519 photos to UALD

221 photos Uintah County as submitted to defense counsel

Where did this
happen?
Vernal City
or
Uintah County

6

Requested: March 16, 2023

RE: Request for Records - #81 .

This letter is in regards to your request to receive a copy of the affidavit of Roxanne and any emails associated with the creation of document from May, 2019. I show you requested this record in the past on February 14, 2020, however, your credit card declined so the record was not forwarded to you. This is classified as a public record with the Utah State Courts so it is being released to you. Any emails associated with this document are classified as protected under UCA 163G-2-305 (17)&(18).

The cost for this record is \$3. Payment has been received by Vernal City.

8

Sept 9, 2019		Sept 22, 2022		Trial
Arraignment Transcript		Defense Council (Brian Frees)		
Roxanne	Prosecutor Lamb	Roxanne Behunin	The City Manager Came To You And Asked You To Type This Document up?	
That's my affidavit.			He asked me if I would sign an affidavit, yes	
	Okay. And did you prepare and sign that affidavit?		sign an Affidavit, Okay, and you agreed to sign an affidavit?	
Yes,		Yes	Did you type this document?	
		No, I did not	Who typed the document?	
		I don't know.	Were you interviewed before the document was created?	
		No		
		Yes	So this document was given to you, prepared, and then you signed it?	

9

Behunin Affidavit NOT prepared by attorney (see your packet)

But is this Attorney-Client privileged?
Where is the attorney listed?

4. In May 2019, the Uintah County Attorney? Officer requested an affidavit from Vernal City concerning the facts related to Mr. Coleman's alleged crime. An affidavit was subsequently prepared by Attorney Catherine Beach on behalf of Vernal City, and signed by Roxanne Behunin, the Vernal City Recorder. The affidavit itself has been provided to Mr. Coleman.

First time author is possibly identified September 14, 2023
There is no proof to support this claim, however.

11

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Email: sj@jjjlaw.com

I agree there should be Protected vs. Not Protected Documents
I want my attorney client documents protected.

Tate affidavit for case

10

6th Amendment

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

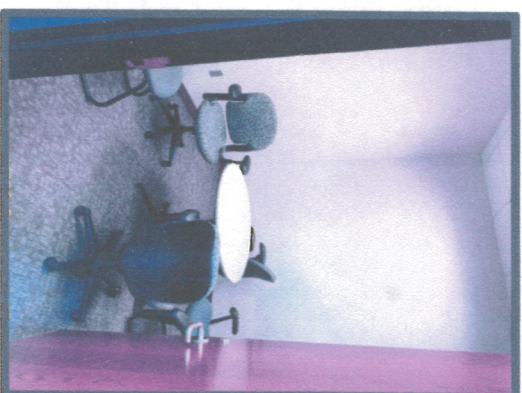
12



76-8-412. Stealing, destroying or mutilating public records by custodian.

Every officer having the custody of any record, map, or book, or of any paper or proceedings of any court, filed or deposited in any public office, or placed in his hands for any purpose, who is guilty of stealing, wilfully destroying, mutilating, defacing, altering, falsifying, removing, or secreting the whole or any part thereof, or who permits any other person so to do, is *guilty of a felony* of the third degree.

13



UINTAH COUNTY

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VERNAL CITY

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RECORD COMMITTEE

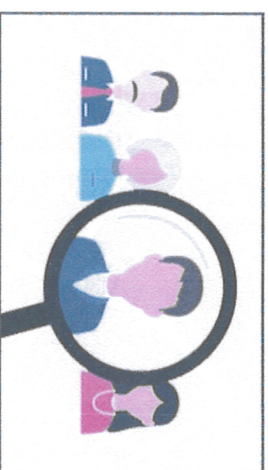
Has anyone taken a photo of a government document?

14

Response

15

BEST WAYS TO FIND A
PERSON BY NAME



16